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**Supplementary Report to the Icelandic Report on the Implementation of the  
Convention on the Rights of the Child. Submitted to the UN Committee on the Rights of  
the Child by Icelandic Save the Children in June 1995**

**Barnaheill Icelandic Save the Children**

Supplementary Report to the Icelandic Report on the Implementation of the Convention on the  
Rights of the Child.

Submitted to the UN Committee on the Rights of the Child by Icelandic Save the Children in  
June 1995.

Introduction

This report attempts to point out and illustrate the extent to which Icelandic national law,  
government policy and practice comply with the principles and standards put forward with The  
Convention on the Rights of the Child.

The purpose of this report is to:

- a) Highlight areas in which children's rights are being violated.
- b) Show the extent to which the official report is inadequate
- c) Make general comments on the situation of children in Iceland, which is absent in the official report.

By making the following recommendations and presenting added information which The Icelandic Save the Children considers critical in the process of implementing the Convention, Icelandic Save the Children hopes to encourage the government to confront key issues involved in monitoring the implementation of the convention. It is hoped that in doing so the Icelandic government will be open to discourse about the situation and rights of children in Iceland.

### **General Comments**

Iceland ratified the Convention on the Rights of the Child in 1992. The Icelandic government has thereby committed itself to undertake all appropriate measures for the implementation of the Convention. The report presented by the government is an exhaustive review of national legislative and administrative measures that relate directly to the implementation of the provisions of the Convention. The commitment to undertake all appropriate measures for the implementation of the Convention is not reflected in policy-making at the national level. There is no official policy in Iceland regarding children and the family. It has been a disputed issue within the government whether it is the role and responsibility of the state to make the society family friendly.

Icelandic society has in the last century changed in fundamental ways. Working environment, residential patterns and family patterns have revolutionized. These changes have altered the abilities of families to fulfil their role with respect to child care. It is a widespread opinion that the family is an "outsider" in Icelandic society.

Longer working hours for both parents and an increase among mothers of 5 - 15 years old children working outside the home from 12.8% to 81% in the last 25 years, have not been met by sufficient changes in the school and day care system. The majority of children age 6 - 16 years are left unattended during the hours of the day that they are not in school and many children take responsibility for themselves because the schools and daycare system can not care for them before and after school hours. For the last couple of years, schools in the capital and some of the bigger communities have offered recreation for children outside the school hours. Caretakers must however pay for that service separately.

The infant mortality rate in Iceland is significantly lower than in the other nordic countries. But the frequency of accidents among children in Iceland is very high. Around 11.000 children seek emergency care every year because of accidents in the homes or inside the playgrounds and our "gain" is lost when the children reach the age of 10 because of the high frequency of death accidents among children aged between 1-10 years.

The Icelandic school system is still based on the way of life and modes of production that were typical in Iceland in the first decades of the century, when people's livelihood was almost solely based on farming and fishing. All schools are closed for three months or more in the summer, during these months children age 13 - 16 commonly work. That work is considered to have educational value for children.

Never the less parents generally consider this as a solution to a social and financial problem while they do not have to worry about the whereabouts of their children while they are working and they do not have to provide them with funds for recreational activities. It can be questioned whether this work does have the educational value that the parents would like it to have. Rates of unemployment show that the children should not be needed in the work force.

In an article in Barnaheill Magazine 1990 the psychologist Baldur Kristjánsson states that, "if

the Basun-research is to be taken seriously, it would be quite clear that Icelandic children, as a whole, enjoy less guidance and protection from adults than is to be expected in the nordic countries. The custom here would then appear to be, that unusually strong expectations are made of the children from an early age on, which is, that they should be self-sufficient and able to take care of themselves".

It is the responsibility of parents and the government to ensure the necessary resources to safeguard children's protection and well being. As it is now working parents do not have the support needed from the state to do so.

### **General Measures of implementation**

Article 4 - the duty to implement the rights put forward with the convention

Article 4 of the CRC imposes a duty on State Parties to implement appropriate measures, whether they be legislative, administrative or other measures to ensure that the rights guaranteed by the Convention are respected.

The Convention has, to date, not been given a high profile by the government. In parliament little time has been allocated to discussion on its implications. A number of statutes and regulations introduced since government ratification of the CRC are clearly not consistent with the principles of the Convention, i.e. Statute no. 66/1995 on primary schools (see discussion on art. 12 below).

The State Party is supposed to describe all measures taken to implement the Convention according to Article 4. This includes its contribution to or participation in, international cooperation. This is not described in the official report.

With statute no. 83/1994 the office of an ombudsman for children was established. The ombudsman for children is an administrative authority which is consistent with Icelandic administrative law. The establishment of an ombudsman for children is also in keeping with the commitment made in the field of administration by the Icelandic government in ratifying the Convention.

Article 3,2 c in the aforementioned statute no. 83 / 1994 states that the ombudsman for children should ensure that international or multinational treaties on the rights and well being of children, whether they have been acceded, ratified or both by Iceland, be respected.

In an explanatory note made on individual articles on the statute for the ombudsman for children it says about article 3,2 c.: "Special emphasis will be on the CRC. Scrutiny on the implementation of the Convention will not be in the hands of the ombudsman for children, but following Icelands ratification it will become apparent whether or not the Convention will be respected by the icelandic government. The ombudsmans office is well suited to ensure that the Convention is honoured and the Convention will be of much importance with regard to the rights and interests of children in this country."

There has been no commitment on behalf of the government to ensure that the maximum resources available are being directed to the promotion of the rights within the Convention. Comparison with the other nordic countries is useful in this respect. Iceland has a substantially higher percentage of children aged 0 - 14 years within the population than the other nordic countries, or 24.8 % compared to 18.1% in Sweden. The percentage of the GNP Iceland spends on social and health issues for families and children is 2,5 compared to 5,1 in Sweden. Resources allocated to education in Iceland are 50% lower than in the other nordic countries. Maximum available resources are therefore by no means being directed towards the promotion of the rights within the Convention. (See appendix A for further comparison of resources allocated to children's protection and welfare in the nordic countries.)

### **QUESTION - Article 4**

What is the government's policy Or development assistance and how does it relate to the

implementation of the Convention and other kinds of international cooperation to the benefit of children?

Which measures, if any, does the government intend to take to ensure that government policy and legislative proposals are systematically scrutinized for compliance with the principles and standards of the Convention?

What action does the government intend to take to ensure that the maximum resources available are being directed to the promotion of the rights within the Convention ?

#### COMMENTS - Article 4

The report lacks a general description of the Government's policy for development assistance and how it relates to the implementation of the Convention, or other kinds of international cooperation for the benefit of children.

The establishment of the office of ombudsman for children is a positive step on behalf of the Icelandic government towards protecting children's rights and interests.

Article 42 - the duty to publicize provisions of the Convention.

With respect to publicizing the provisions of the Convention, the Minister of Justice appointed a work group in 1994. The group was made up of representatives from the Ministry of Justice, Ministry of Social Affairs, Ministry of Health and Social Security and representatives from the Ministry of Education. Their task was to explore ways and make recommendations on how to publicize the Convention and its contents. This work resulted in the publishing of the Convention in three separate editions, for the age groups 0-9 years, 9-12 years and 12-15 years. About 50.000 copies were published and distributed to all children in elementary schools. In addition to that the state owned educational publishing company published manuals for teachers on how to include the CRC in their courses. It was however left up to each individual school authority to decide how to use the material.

In conduction with the number of children with different cultural backgrounds is increasing in Iceland it should not be forgotten that these children should also be informed about rights.

The state or the Ministry of Education has so far not provided training for teachers on how to include human rights in their courses. The Icelandic Save the Children, The Icelandic Human Rights Center and the The Teachers College Continuing Education Program have therefore offered courses on how to educate children about human rights. The Icelandic Human Rights Center and its member organizations have recently had talks with the minister of education on how these things might be organized in the future.

The Convention text has also been widely introduced by several NGO's working for children's rights. All public discussion on the CRC and children's rights in Iceland has been initiated and organized by NGO'S.

#### QUESTION - Article 42

Does the government intend to publicize the CRC and initiate public discussion about the CRC that is not limited to elementary schools ? Does the government intend to put human rights education in the general curriculum of elementary schools ? (See also art. 29,1b and 29,1d of the Convention)

Does the government plan to provide translation of the Convention into any other languages than Icelandic?

#### COMMENTS - Article 42

The publishing of the Convention is a positive act on behalf of the government. The way in which it was published is fitting for educational purposes and discussion.

Article 44.2 - the duty to report factors and difficulties affecting the implementation of the convention.

The government report fails in two significant ways to "indicate factors and difficulties, if any, affecting the degree of fulfilment of the obligations under the ... Convention":

a) The report is purely descriptive and selective, noting only those positive aspects of government policy which it seeks to promote. It does not offer a realistic description of the status or situation of the groups of children most likely to suffer discrimination i.e. disabled children, children that have been separated from their parents, immigrant and refugee children and other children whose origin are not Icelandic.

b) By failing to acknowledge many of the existing breaches of children's rights that do exist, the report fails to provide any targets or strategies for working toward the elimination of those breaches and the greater promotion of children's rights in Iceland.

#### QUESTION - Article 44.2

What explicit measures does the government intend to take to monitor the implementation of those rights which are not currently being complied with ?

Article 44.6 - the duty to make government reports widely available to the public.

The official report on the implementation of the CRC is due to be published by the Ministry of justice this year (1995). In the process of writing the report the Ministry of justice consulted several other ministries and official institutions, NGO's working for the rights of children were however not consulted nor were they offered to participate in the writing of the report. The work of NGO's is of great importance for the human rights and the well being of children in Iceland. In some areas, for example in work for disabled children the NGO's contribute substantially to safeguarding their rights and their well being.

#### RECOMMENDATION - Article 44.6

The advantage of including NGO's working on children's behalf in the making of the report should be considered by the government. Such cooperation between official and independent organizations would enrich the accuracy of the report and would hopefully allow for a little self-criticism and future vision on behalf of both bodies with respect to children's rights.

#### GENERAL PRINCIPLES

Article 2 - the right of all children to all the rights put forth in the Convention without discrimination.

In the statute on elementary schools (no. 66 / 1995) it is declared that all children are secured access to education with respect to the ability of each individual child unaffected by residence, gender, origin, class, religion or disability.

The funds allocated to schools for preparing immigrant children to participate in Icelandic schools are meant for language teaching only. For that purpose there are receiving classes for immigrant children in which they, can stay for three months up to one year maximum. Support of other nature is not provided to them. Immigrant children are not given the opportunity to study their native language in Icelandic schools.

Immigrant children do therefore clearly not have the same access as native Icelandic children with respect to education. (Regarding disabled children's access to education see page 9 on art. 23.) Such discrimination against immigrant children is a breach of article 2 of the CRC.

#### QUESTION - Article 2

What action does the government plan to take to eliminate the difference in access to education between native Icelandic and immigrant children?

Article 3. - the duty in all actions to consider the best interest of the child

In the spring of 1995 changes were made to the Icelandic constitution. A new article was added that states that "Children shall by law be secured the protection and care needed for their well being". This article is modeled after article 3 of the CRC. It is however necessary to have a separate article on the rights of children in the constitution. It is of uttermost importance to emphasize that children are in all areas secured the right to the protection needed for their well

being, both with regard to decisions made by the legislator, the administrative authorities and others working on behalf of children, such as public and private social welfare institutions. This is especially important since the law on the protection of children and adolescents assume that the government handles and makes decisions in matters that are of great importance to children (see prg. 97 and prg. 206-211 in the official report). The needed article might be as follows: " That which is in the best interest should always be of prime consideration when decisions that affect the child are made and the child shall in every respect be secured the protection and care needed for the child's well being."

It is not known if children play any role in the procedures connected to the application for asylum put forward by their parents. That is to say if the totality of a child's circumstances of life are being recorded when parents apply for asylum.

#### QUESTION - Article 3

Will the government add such an article in to the constitution so that children are in all areas secured the protection needed for their well being, both with respect to decisions made by the legislator, the administrative authorities and others that work on children's behalf, such as public and private social welfare institutions ?

What does the government think should be the role of article 3 in the procedures concerning application for asylum?

Article 12 - the right to express an opinion and to have it taken seriously

In the new statutes on elementary schools from 1995 an article from the older statutes on elementary schools from 1991 concerning school councils, is taken out. Article 20,1 of the older statutes on primary schools required all elementary schools to have school councils. The role of the school council was to report to the Ministry of Education about inner matters concerning the day to day administration of the school. The school council was made out of three people. One representative came from the school staff, one representative from the school's parents union and one representative from the school's student union. Delegates were elected to the council for a term of one year and its meetings were attended by the school principal or her/ his representative.

With the new statutes article 23,2 of the old statutes was also taken out. That article gave a representative from the students or the student council the right to sit in on meetings of the principal and teachers council as well as teachers meetings, with the right to express an opinion and the right to make suggestions, when administrative matters concerning the school were discussed. In an explanatory note with the new statutes it says that it is deemed appropriate to leave it up to each school individually how students are granted access to the school's administration.

There is no article in the new statutes that gives children the right to express their opinion on the administration of the school or other matters concerning the school. At issue here is the right of the child to express an opinion and have it taken seriously as it is put forth in article 12 of the CRC. The article was taken into consideration in the old statutes, but not in the revised version from 1995. This is a step backwards. The current statutes on primary schools is therefore in breach of article 12 of the CRC.

#### QUESTION - Article 12

Does the government intend to review the current law on primary schools with regard to article 12 of the CRC and add an article that gives the students a representative with the right to sit in on meetings of the school administration and meetings between the school's teachers and its principal and the right to express an opinion and make suggestions at those meetings?

#### COMMENTS - Article 12

The official report describes at length the laws and procedures concerning the right of the child to express an opinion and be taken seriously in matters concerning its interests (prg. 114 - 120). It does not however give any information about how that has worked in practice. No

research has been done so far to find out if the law and procedures are compliant with reality. Such a research would be of much value for children and the concerned organizations and institutions.

## CIVIL RIGHTS AND FREEDOMS

### Article 7 - Children's right to a nationality

This article states that a child shall have the right to a nationality from birth. Icelandic law on nationality does not secure every child such a right. Article 1 of statute no. 100/ 1952 states that a child acquires Icelandic nationality at birth provided that: 1) the child is born in wedlock and either its mother or father are Icelandic. 2) the child is born out of wedlock and the mother is Icelandic. Because of these limitations a child born out of wedlock to an Icelandic father and a mother of foreign nationality does not become an Icelandic national at birth. Article 2 of the same statute states that such children only acquire Icelandic national when the parents get married. That is provided the children have not reached the age of eighteen and are married themselves. These limitations are in conflict with article 7 of the CRC that secures a child the right to a nationality at birth. (Article 7 of statute no. 37/ 1993 states that the paternity of a child shall be stated by the mother to the midwife or the physician that delivers the child and registered by them in the child's birth certificate.)

### QUESTION -Article 7

Does the government intend to make changes in the statutes concerning nationality so that children have the right to a nationality at birth?

### Article 14 - Freedom of religion

According to Icelandic law parents can decide to register a child under the age of sixteen in a religious community /sect. The consent of the child has to be sought only if the child is above the age of twelve. The fact that this law uses biological age as a measure where the opinion or religious conviction of the child does not have to be taken into consideration is in breach of article 14 of the CRC that states that State Parties shall respect the right of the child to freedom of thought, conscience and religion. QUESTION - Article 14

Does the government intend to review the law that gives parents the right to register a child under the age of twelve in a religious community / sect without the child's consent?

### RECOMMENDATION - Article 14

It would be in keeping with the commitment of the government to respect the rights of the child to freedom of thought, conscience and religion to change the law so that a child cannot be registered in a religious community/ sect unless it understands the full meaning of its actions. Family environment and alternative care

### Article 9 - the right to live with one's family

Changes need to be made in the way cases concerning the custody of children are handled. At present the initial decision of separating a child from his/her parents is made by the Committee for Child Protection. This initial decision should be made by a judicial court, not a committee. The current process is based on statutes for the protection of children and adolescents. This process leaves the power to determine whether or not children should be separated from their parents to administrative authorities in the form of the Committee for Child Protection. There is a right to appeal, but only to another administrative body, the Council for Child Protection (pg. 206-210 in the official report). In an explanatory note made with the then proposed statutes for the protection of children and adolescents it is stated that cases concerning the separation of children from their parents are not to be settled in court. However, at the same time the Icelandic Government has claimed in the international forum that it is possible to ask for a review of the decision by a judicial court. Article 9 of the CRC demands that parties to such a case have the possibility to appeal the case to a judicial court. When the Convention was ratified by Iceland it was stated that a judicial court can review decisions made by administrative authorities with respect to article 60 of the constitution. That article states that the judicial courts settle all disputes concerning the limits of authority of the

administrative authorities. The article has for a long time been considered hardly comprehensible and very difficult to explain. It is therefore not clear whether the courts can go so far as to review decisions made by the child protection authorities or not. If the courts can not make those decisions it is clearly a violation of article 9 of the CRC. If however, the courts can make those decisions article 9 is honoured, but if the Icelandic national law is not changed then there are four stages of determination in cases concerning whether or not children should be separated from their parents i.e. the Committee for Child Protection, the Council for Child Protection, the inferior judicial court and the Supreme court.

It would be better to have the initial decision on separation in the hands of the judicial courts rather than in the hands of the Committee for Child Protection. This would of course also be in accordance with article 9,2 of the CRC.

The matter of custody disputes over children is dealt with in the statutes on children. The primary rule there is that custody disputes are to be settled by a judicial court unless both parents specifically request that the Ministry of justice settles the dispute. In an explanatory note with the children's statute it is stated that: 'a decision made by the ministry cannot be appealed to a court except with reference to article 60 of the constitution and it is questionable whether that is sufficient with reference to article 9,1 of the CRC.' This procedure is a violation of article 9,1 of the CRC. Article 6,1 of the European Human Rights Convention which Iceland incorporated into its national law in 1994 involves the right of people to appeal a case to a court of law. When administrative authorities have the final decisive authority involving the determination of rights and duties of a private nature, article 6,1 is violated if no allowance is made for an appeal of that determination to a court of law.

Icelandic national law has no article comparable with article 9,4 of the CRC, i.e. concerning the obligation of the government to provide information about the whereabouts and fate of a parent or a child in case of separation initiated by the state. Therefore there are no restrictions on access to such information (prg. 216 in the official report).

#### RECOMMENDATION - Article 9

It would be appropriate that the Icelandic national law on the protection of children and adolescents was changed so that a judicial court would have the power to settle cases concerning the separation of children from their parents.

With reference to this it would be appropriate that the Icelandic children's law be revised to enable a party to a custody case to appeal the decision of the ministry to a judicial court.

#### QUESTIONS - Article 9

Does the government intend to revise the law so that the judicial courts will have the decisive power in cases concerning separation of a child from his/her parents?

Does the government intend to change the children's law so that it enables a party to a custody case to appeal a decision of the ministry to a judicial court?

Does the government intend to revise the law to include an article comparable with article 9.4 of the CRC, i.e. concerning the obligation of the state to provide information about the whereabouts and fate of a parent or a child in case of a separation initiated by the state?

#### Article 10 - reunion of the family

Article 10 contains an obligation of State Parties to process applications by a child or his/her parents to enter or leave the country for reunion with the family, in a positive, humane and expeditious manner, and to ensure that such a request shall entail no adverse consequences for the applicants nor their families. The Icelandic national law does not give any guidance as to when an alien may enter into the country (see official report prg.217 Such an article is needed in the Icelandic national legislation.

#### QUESTION - Article 10

Will the government add an article to the law on the monitoring of aliens, stating when an alien may enter into the country for reunion with his / her family or for other reasons?

#### Article 20 - the duty to provide care for children unable to live with their family

The official report describes in length the laws and procedures regarding care for children unable to live with their family (prg. 227-244 the official report). It does however not address the

problems that have occurred in practice concerning, fostercare of children unable to live with their family.

A problem that frequently occurs is that the fosterfamilies that receive children for long or short term care are badly prepared to care for the child because of the problems the child may have. Those families receive little support from social workers and do not themselves have the necessary background to help the child. The result is often that the fosterfamily decides to give up the child which leaves the child traumatized again.

Short term foster care of children has been problematic in communities outside Reykjavík. Because of how small they are, there are no shelters for children and alternative solutions have failed in most cases. The result is that smaller communities in the country have not been able to provide care for children unable to live with their family, at all.

#### QUESTIONS - Article 20

What action does the government intend to take to solve the problems that occur in practice in providing care for children unable to live with their families ?

Healthcare

Article 23 - the rights of the disabled child

The legal status and the standard of living of children with disabilities has improved in Iceland over the past ten years. Legally, mainstreaming has been the object in services for all children (p. 279-287 the official report) with disabilities. Reality is quite different.

Although most children have the possibility to attend kindergarten with non-disabled children, their possibility to attend a regular school is very limited, in spite of their legal rights. Most youngsters finish their education at the age of 16-18 years, when their non-disabled peers are starting college or vocational education at that age.

Most Icelandic children with disabilities grow up in a family environment, but there are still some families that are unable to care for their disabled children due to the lack of proper services outside the home. These children are therefore institutionalized. Families of children with disabilities do not enjoy the same economical security as do most other families. The possibility of both parents to work outside of the home, in order to increase the family income, is in most cases impossible. Therefore many of these families, as well as youngsters and adults with disabilities, are often poorer than others and live a very restricted cultural- and social life.

#### QUESTIONS - Article 23

What does the government intend to do to insure that all disabled children can enjoy a full and decent life, in conditions which ensure dignity?

#### SPECIAL PROTECTIVE MEASURES

Article 22 - refugee children

The official report cites the law on the monitoring of aliens no. 45 / 1965 when reporting on the rights of refugee children. As stated in the report there is no collective law in Iceland regarding refugees. The statutes on the monitoring of aliens no. 45 / 1966 do not mention refugee children. The only article that mentions refugees in this statute is article 10,7. Article 10,7 states that an "alien claiming to be a political refugee forced to seek asylum cannot be refused entrance into the country by the police. The matter should be forwarded to the immigration authorities without delay to be decided upon." The statute on the monitoring of aliens does not give refugee children the right to protection and humanitarian assistance.

The Icelandic government has not taken the appropriate measures to ensure that a child seeking refugee status is considered a refugee.

#### QUESTIONS - Article 22

Does the Icelandic government intend to pass a new national law on the protection of refugees? Would such a law secure refugee children seeking asylum in Iceland the right to protection and humanitarian assistance?

Article 30 - Ethnic, religious and linguistic minorities - their right to enjoy their own culture and practice their own religion and language

On page 75-6 in the official report (pgr. 397) it is stated that "Icelanders are one nation in one and secluded land where everyone speaks the same language without measurable difference in dialect and share the same cultural heritage." Paragraph 398, however, gives the information that on December 1st 1993 there were about 250 persons of foreign origin, i.e. refugees and their relatives, living in the country. Paragraph 399 states further that there were 4.825 foreign nationals living in the country December 1st 1993.

Those persons do not share the same language and the same cultural heritage as native Icelanders.

There is nothing in the Icelandic national law that prohibits people of origin other than Icelandic to practice their own language and enjoy their own culture and nothing that secures them the right to do so. The Icelandic constitution only secures people's right to practice their own religion in private or in community of others.

QUESTION - Article 30

Does the government intend to add to the constitution or to the national law an article on the rights of persons of foreign origin to practice their own language and enjoy their own culture?

Article 34 - the right to protection from sexual exploitation and abuse

Article 34 has a special meaning regarding porno-graphic material. The article covers among other measures the incident that a State Party shall take action to prevent individuals from possessing child pornography for private use, i.e. not intended for sale on the public market or for public showing. According to Icelandic national law it is not illegal to be in possession of child pornography. It is the responsibility of the government to protect children in this respect.

QUESTION - Article 34

Does the government intend to introduce a law that makes it illegal to possess child pornography?

Article 37 c - children deprived of their freedom by legal custody or imprisonment

In Icelandic national law there is no article that states that child prisoners are to be kept separate from adult prisoners as stated in article 37c of the CRC (see the official report pgr. 373.)

In the declaration made by the Icelandic government concerning article 37c it is stated that there is no article in the Icelandic national law that requires child prisoners to be kept separate from adult prisoners. In the statutes on prisons and imprisonment it is however stated that when deciding in which prison a sentence shall be carried out in, the age of the prisoner among other facts should be considered. With reference to the situation in Iceland it is expected that when deciding upon the imprisonment of an adolescent it will always be considered what type of imprisonment is in the best interest of the adolescent.

This declaration is supported by the argument that there are several choices available when a adolescent has to be sent to prison and the choice considered in the best interest of the adolescent would always be made. It is not always in the best interest of a adolescent prisoner to be kept separate from adult prisoners, for example it would in most cases be considered more important for a prisoner to be imprisoned close to his /her home. Therefore it is considered that Iceland's policy on the imprisonment of adolescents is in accordance with the purpose of the Convention.

This argument is not valid. The fact that a child deprived of its freedom is not kept separate from adult prisoners is a violation of the child's rights. There is no article in Icelandic law nor a legal procedure that states that a child deprived of its freedom should not be kept separate from adult prisoners. It is of a great importance that adolescent prisoners be kept separate from adult

prisoners, thus serving the best interests of the child. An argument used in the official report as to why there is not a reason to build a prison for adolescents is that there are so few adolescents in prisons in Iceland. In the years 1989 - 1994 there were 1 or 2 youths in prison on the average during the year.

#### QUESTION - Article 37c

Does the Icelandic government intend to change its national law so that it will be in keeping with article 37c of the CRC?

#### Appendix A:

Comparison between Scandinavian countries of resources allocated to childrens protection, welfare and education.

##### PERCENTAGE OF CHILDREN WITHIN POPULATION:

Denmark Finland Iceland Norway Sweden 16,9 % 19,2 % 24,8% 19,0% 18,1%

##### RESOURCES ALLOCATED TO SOCIAL AND HEALTH MATTERS IN THE SCANDINAVIAN COUNTRIES IN 1990, (PURCHASING POWER PARITY PER INHABITANT OF GNP.

Denmark Finland Iceland Norway Sweden PPP/NOK PPP/NOK PPP/NOK PPP/NOK PPP/NOK

48.909 42.038 28.507 45.327 60.748 29,7% 25,7% 17,8% 29,0% 34,8%

##### RESOURCES ALLOCATED TO SOCIAL AND HEALTH MATTERS. FAMILIES AND CHILDREN (PURCHASING POWER PARITY)

Denmark Finland Iceland Norway Sweden PPP/NOK PPP/NOK PPP/NOK PPP/NOK PPP/NOK

5.808 5.797 3578 5.391 8.845

##### RESOURCES ALLOCATED TO DAYCARE.

Denmark Finland Iceland Norway Sweden PPP/NOK PPP/NOK PPP/NOK PPP/NOK PPP/NOK

2.070 1.786 787 879 3.785

##### RESOURCES ALLOCATED TO CHILD PROTECTION (AS A PART OF RESOURCES ALLOCATED TO SOCIAL AND HEALTH MATTERS)

Denmark Finland Iceland Norway Sweden PPP/NOK PPP/NOK PPP/NOK PPP/NOK PPP/NOK

905 304 191 405 539

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